## No. 90

# **MICHIGAN SENATE**

## DAILY CALENDAR

WEDNESDAY, OCTOBER 12, 2005 10:00 a.m.

	MOTIONS		MESSAGES FROM THE GOVERNOR
SB	246 Sen. Emerson School aid; fiscal year appropriations; minimum funding level for K-12 education; provide for. Amends title & sec. 11 of 1979 PA 94 (MCL 388.1611) & adds secs. 12 & 147a.  Motion to discharge Committee on Appropriations pending.	SB	274 Sen. Clarke Appropriations; history, arts, and libraries; department of history, arts, and libraries; provide for fiscal year 2005-2006. Creates appropriation act. Approved by Governor, with line items vetoed, Thursday, September 29. For veto message, see Senate Journal No. 87, page 1762. Vetoed line items pending.
SB	318 Sen. Basham Labor; hours and wages; minimum wage; increase. Amends sec. 4 of 1964 PA 154 (MCL 408.384). Motion to discharge Committee on Commerce and Labor pending.	SB	281 Sen. Barcia Appropriations; transportation; state transportation department; provide for fiscal year 2005-2006. Creates appropriation act. Approved by Governor, with line items vetoed, Fri-
SB	MESSAGES FROM THE GOVERNOR  3 ———————————————————————————————————		day, September 30.  For veto message, see Senate Journal No. 87, page 1762.  Vetoed line items pending.
	ment; provide for fiscal year 2005-2006.  Creates appropriation act.  Approved by Governor, with line items vetoed, Wednesday, September 28.  For veto message, see Senate Journal No. 87, page 1760.  Vetoed line items pending.	SB	MESSAGES FROM THE HOUSE  8  356 Sen. Patterson Public utilities; water utilities; on-site wastewater in-
SB	Appropriations; human services; department of human services; provide for fiscal year 2005-2006.  Creates appropriation act.  Approved by Governor, with line items vetoed, Wednesday, September 28.  For veto message, see Senate Journal No. 87, page 1760.  Vetoed line items pending.		vestor-owned utilities; create.  Amends sec. 5301 of 1994 PA 451 (MCL 324.5301) & adds sec. 5309a.  I.E. House, June 23, 2005.  Returned from House with House substitute (H-1), Tuesday, June 28; laid over under the rules.  Committee recommended I.E.

264 Sen. Barcia SB

> Appropriations; agriculture; department of agriculture; provide for fiscal year 2005-2006.

Creates appropriation act.

Approved by Governor, with line items vetoed, Wednesday, September 28.

For veto message, see Senate Journal No. 87, page 1761. Vetoed line items pending.

SB 419 Sen. Allen

Public utilities; water utilities; private wastewater treatment facilities; allow public service commission to regu-

Amends sec. 6 of 1939 PA 3 (MCL 460.6).

I.E. House, June 23, 2005.

Returned from House with House substitute (H-3), Tuesday, June 28; laid over under the rules.

## MESSAGES FROM THE HOUSE

— 10 ——

#### SB 298 Sen. Kuipers

SB

Businesses; business corporations; fee reduction for early stage technology companies; provide for.

Amends sec. 1062 of 1972 PA 284 (MCL 450.2062).

I.E. House, September 28, 2005.

Returned from House with House substitute (H-3), Thursday, September 29; laid over under the rules.

Committee recommended I.E.

\_\_\_\_\_\_ 11 \_\_\_\_

359 Sen. Garcia
Economic development; other; biosciences research and commercialization center; establish.

Amends 1984 PA 270 (MCL 125.2001 - 125.2093) by adding ch. 7A.

I.E. House, September 28, 2005.

Returned from House with House substitute (H-3), Thursday, September 29; laid over under the rules.

Committee recommended I.E.

\_\_\_\_ 12 \_\_\_\_

#### SB 521 Sen. Bishop

Income tax; deductions; deduction for certain investments; provide for.

Amends sec. 30 of 1967 PA 281 (MCL 206.30).

I.E. House, September 28, 2005.

Returned from House with House substitute (H-1), Thursday, September 29; laid over under the rules.

Committee recommended I.E.

\_\_\_\_ 13 \_\_\_\_

## SB 533 Sen. Garcia

Economic development; other; the strategic economic investment board and the strategic economic investment bond fund; create in Michigan strategic fund act.

Amends title & secs. 4 & 13 of 1984 PA 270 (MCL 125.2004 & 125.2013) & adds sec. 94 & ch. 8A.

I.E. House, September 28, 2005.

Returned from House with House substitute (H-4), Thursday, September 29; laid over under the rules.

Committee recommended I.E.

\_\_\_\_ 14 \_\_\_\_\_

## SB 74 Sen. Goschka

Crimes; kidnapping; reporting a false "Amber alert"; prohibit and provide penalties.

Amends title of 2002 PA 712 (MCL 28.751 - 28.753) & adds sec. 4.

I.E. House, October 6, 2005.

Returned from House with amendment, Tuesday, October 11; laid over under the rules.

For House amendment, see Senate Journal No. 89, page 1794.

Committee recommended I.E.

## MESSAGES FROM THE HOUSE

— 15 ———

#### SB 134 Sen. Cassis

Criminal procedure; sentencing guidelines; sentencing guidelines for crime of intentionally falsely reporting the abduction of a child to authorities; provide for.

Amends sec. 11b, ch. XVII of 1927 PA 175 (MCL 777.11b).

I.E. House, October 6, 2005.

Returned from House with amendment, Tuesday, October 11; laid over under the rules.

For House amendment, see Senate Journal No. 89, page 1794.

Committee recommended I.E.

#### THIRD READING OF BILLS

\_\_\_\_ 16 \_\_\_\_\_

SB 102 Sen. Cropsey

Corrections; state facilities; Ionia maximum correctional facility; rename to Jack Welborn correctional facility.

Amends 1953 PA 232 (MCL 791.201 - 791.283) by adding sec. 20d.

Reported by Committee on Judiciary. Committee recommended I.E.

SB 337 Sen. Allen

Single business tax; credit; tax credit for historical buildings; create and limit issuance of.

Amends 1975 PA 228 (MCL 208.1 - 208.145) by adding sec. 35c.

Reported by Committee on Commerce and Labor. Senate substitute (S-2).

Committee recommended I.E.

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HB 4108 Rep. Mayes

Torts; liability; immunity for farmers who use tank locks or dye additives to prevent anhydrous ammonia theft; provide for.

Amends 1961 PA 236 (MCL 600.101 - 600.9947) by adding secs. 2975 & 2976.

I.E. House, June 9, 2005.

House substitute (H-3).

Reported by Committee on Agriculture, Forestry and Tourism.

Senate substitute (S-1).

#### THIRD READING OF BILLS

#### **HB** 4638 Rep. Garfield

Military affairs; other; general amendments; provide for. Amends secs. 2, 3, 4, 7, 8, 9, 13, 14, 15, 16, 25, 26, 27, 29, 80, 84, 85, 92, 94, 99, 103, 105, 107, 108, 112, 113, 132 & 134 of 1980 PA 523 (MCL 32.1002 et seq.) & adds secs. 50a, 88, 109 & 121.

I.E. House, May 12, 2005.

House substitute (H-1).

Reported by Committee on Senior Citizens and Veterans Affairs.

For Senate amendment, see Senate Journal No. 89, page 1795.

Committee recommended I.E.

<del>\_\_\_\_</del> 20 <del>\_\_\_\_\_</del>

## SB 785 Sen. Bishop

Children; protection; provision regarding civil actions based on computer crime in children's protection registry act; expand.

Amends secs. 1, 3 & 5 of 2004 PA 241 (MCL 752.1061 et seq.).

Reported by Committee on Technology and Energy. Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_\_ 21 \_\_\_\_\_

#### SB 751 Sen. Allen

Businesses; business corporations; summer resort property owners act; clarify majority vote requirement for member approval.

Amends sec. 19 of 1929 PA 137 (MCL 455.219).

Reported by Committee on Commerce and Labor. Senate substitute (S-1).

Committee recommended I.E.

<del>\_\_\_\_ 22 \_\_\_\_\_\_</del>

## HB 5055 Rep. Caswell

Health facilities; hospitals; quality assurance assessment; extend sunset and increase hospital appropriation.

Amends sec. 20161 of 1978 PA 368 (MCL 333.20161).

I.E. House, August 31, 2005.

Reported by Committee on Appropriations.

Senate substitute (S-1).

Committee recommended I.E.

## **GENERAL ORDERS**

\_\_\_\_ 23 \_\_\_\_\_

#### SB 233 Sen. Bishop

Administrative procedure; rules; rescission of proposed credit scoring rules; provide for.

Amends 1956 PA 218 (MCL 500.100 - 500.8302) by adding sec. 2111a.

Referred to Committee of the Whole pursuant to MCL 24.245a.

#### **GENERAL ORDERS**

\_\_\_\_ 24 \_\_\_\_\_

#### **SB** 196 Sen. Jelinek

Legislature; legislators; legislator to substitute teach in public schools without pay; allow.

Amends secs. 1230, 1230a & 1233 of 1976 PA 451 (MCL 380.1230 et seq.).

Reported by Committee on Education.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 25 \_\_\_\_

## SB 448 Sen. Cropsey

Courts; judges; salary for judges; revise, establish concurrent jurisdiction for probate judge and district judge, and provide other amendments.

Amends secs. 226, 303d, 410, 810, 859, 871, 1105, 1701, 8322, 8344, 8507 & 8611 of 1961 PA 236 (MCL 600.226 et seq.); adds secs. 411 & 8808 & repeals secs. 557, 557a, 557b, 8555 & 9947 of 1961 PA 236 (MCL 600.557 et seq.).

Reported by Committee on Judiciary.

For Senate amendment, see Senate Journal No. 48, page 708.

Committee recommended I.E.

\_\_\_\_\_ 26 \_\_\_\_

## **HB** 4481 Rep. Gaffney

Elections; voting procedures; certain restrictions on requests for registration or absentee ballots; revise.

Amends sec. 759a of 1954 PA 116 (MCL 168.759a) & repeals sec. 504 of 1954 PA 116 (MCL 168.504).

I.E. House, April 19, 2005.

House substitute (H-1).

**Reported by Committee on Government Operations.** 

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_ 27 \_\_\_\_\_

#### **SB** 43 Sen. Thomas

Income tax; credit; certain physicians with medical care practices in medically underserved areas; provide credit.

Amends 1967 PA 281 (MCL 206.1 - 206.532) by adding sec. 272.

Reported by Committee on Finance.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_\_ 28 \_\_\_\_\_

## SB 472 Sen. Kuipers

Energy; other; Michigan superconducting super collider commission; eliminate.

Amends sec. 11 of 1987 PA 26 (MCL 3.821).

Reported by Committee on Local, Urban and State Affairs.

Committee recommended I.E.

— 29 ———

#### SB 475 Sen. Hardiman

Higher education; research; state research fund feasibility review panel; eliminate.

Amends sec. 2 of 1982 PA 175 (MCL 125.1952).

Reported by Committee on Local, Urban and State Affairs.

## OCTOBER 12, 2005 **GENERAL ORDERS SB** 476 Sen. Sanborn State; funds; Michigan strategic fund, research center fund advisory committee; eliminate. Amends sec. 77 of 1984 PA 270 (MCL 125.2077). Reported by Committee on Local, Urban and State Affairs. Committee recommended I.E. SB 633 Sen. Cassis Single business tax; rate; rate reduction; provide for. Amends sec. 31 of 1975 PA 228 (MCL 208.31) & repeals enacting section 1 of 2002 PA 531 & enacting section 3 of 1999 PA 115. Reported by Committee on Finance. Senate substitute (S-1). Committee recommended I.E. \_\_\_\_ 32 \_\_\_\_\_ SB 634 Sen. Cassis Single business tax; apportionment; sales factor; increase to 100%. Amends sec. 45a of 1975 PA 228 (MCL 208.45a). Reported by Committee on Finance. Senate substitute (S-1). Committee recommended I.E. — 33 —— HB 4555 Rep. Pearce Transportation; funds; certain portion of transportation funds earmarked for nonmotorized trails; provide for. Amends sec. 10k of 1951 PA 51 (MCL 247.660k). I.E. House, June 9, 2005. House substitute (H-2). Reported by Committee on Commerce and Labor. Senate substitute (S-2). Committee recommended I.E.

SB 664 Sen. George

Businesses; profit corporations; electronic filing of documents required under business corporation act; authorize.

Amends sec. 131 of 1972 PA 284 (MCL 450.1131).

Reported by Committee on Commerce and Labor. Senate substitute (S-1).

Committee recommended I.E.

SB 665 Sen. Goschka

Businesses; limited liability companies; electronic filing of documents required under Michigan limited liability company act; authorize.

Amends sec. 104 of 1993 PA 23 (MCL 450.4104).

Reported by Committee on Commerce and Labor. Senate substitute (S-1).

Committee recommended I.E.

#### **GENERAL ORDERS**

— 36 ———

SB 666 Sen. Sanborn

Businesses; nonprofit corporations; electronic filing of documents required under nonprofit corporation act; authorize.

Amends sec. 131 of 1982 PA 162 (MCL 450.2131).

Reported by Committee on Commerce and Labor.

Senate substitute (S-1).

Committee recommended I.E.

SB 667 Sen. Jelinek

Businesses; partnerships; electronic filing of documents required under Michigan revised uniform limited partnership act; authorize.

\_\_\_\_ 37 \_\_\_\_\_

Amends sec. 206 of 1982 PA 213 (MCL 449.1206).

Reported by Committee on Commerce and Labor.

Senate substitute (S-1).

Committee recommended I.E.

SJR E Sen. Stamas

Land use; condemnation; taking of private property by eminent domain for the primary benefit of private entities; prohibit.

\_\_\_\_\_ 38 \_\_\_\_\_

Amends sec. 54, art. X of the state constitution.

Reported by Committee on Transportation.

Senate substitute (S-2).

\_\_\_\_ 39 \_\_\_\_\_

SB 693 Sen. Brown

Land use; condemnation; use of eminent domain to transfer private property to private entities; prohibit.

Amends sec. 3 of 1911 PA 149 (MCL 213.23).

Reported by Committee on Transportation.

Senate substitute (S-3).

Committee recommended I.E.

**—** 40 **—** 

SB 736 Sen. Goschka

Corrections; jails; expense of inmate medical care; require sheriff to draw on inmate's health care policy before county is charged.

Amends secs. 4 & 4a of 1846 RS 171 (MCL 801.4 & 801.4a).

Reported by Committee on Appropriations.

Senate substitute (S-1).

Committee recommended I.E.

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**HB** 4737 Rep. Cushingberry

Taxation; utility users; use of tax proceeds; modify. Amends sec. 2 of 1990 PA 100 (MCL 141.1152).

I.E. House, September 22, 2005.

Reported by Committee on Finance.

Senate substitute (S-1).

## **GENERAL ORDERS**

#### SB 662 Sen. Sanborn

State; purchasing; competitive bidding; require in most circumstances.

Amends sec. 261 of 1984 PA 431 (MCL 18.1261).

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Senate substitute (S-2).

Committee recommended I.E.

\_\_\_\_\_ 43 \_\_\_\_

#### **SB** 663 Sen. Patterson

Single business tax; credit; small business credit for taxpayer whose business is to provide temporary staffing; increase.

Amends sec. 31 of 1975 PA 228 (MCL 208.31).

Reported by Committee on Economic Development, Small Business and Regulatory Reform.

Senate substitute (S-1).

Committee recommended I.E.

## SB 506 Sen. Olshove

Water; quality; disposal of contaminated dredge materials into the Great Lakes; prohibit.

Amends sec. 3101 of 1994 PA 451 (MCL 324.3101) & adds sec. 3109c.

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-1).

Committee recommended I.E.

\_\_\_\_\_ 45 \_\_\_\_\_

## SB 789 Sen. Birkholz

Environmental protection; water pollution; strategic water quality initiatives fund; allow to be used for grant program.

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

**—** 46 **—** 

#### **SB 790** Sen. Van Woerkom

Environmental protection; water pollution; strategic water quality initiatives fund; allow to be used for grant program.

Reported by Committee on Natural Resources and Environmental Affairs.

Committee recommended I.E.

## HB 4572 Rep. Stakoe

Environmental protection; water pollution; Great Lakes water quality bonds; create fund to be expended for grants for engineering and consulting costs associated with sewage treatment projects.

Amends 1985 PA 227 (MCL 141.1051 - 141.1076) by adding sec. 16c.

I.E. House, May 3, 2005.

House substitute (H-5).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-5).

Committee recommended I.E.

#### **GENERAL ORDERS**

#### **HB** 4573 Rep. Nitz

Environmental protection; water pollution; Great Lakes water quality bonds; transfer a portion of the money to the wastewater application grant fund.

Amends sec. 19708 of 1994 PA 451 (MCL 324.19708).

I.E. House, May 3, 2005.

House substitute (H-5).

Reported by Committee on Natural Resources and Environmental Affairs.

Senate substitute (S-3).

Committee recommended I.E.

## SB 722 Sen. Barcia

Occupations; accounting; licensing fees; revise and create restricted fund.

Amends sec. 11 of 1979 PA 152 (MCL 338.2211).

Reported by Committee on Banking and Financial Institutions.

For Senate amendments, see Senate Journal No. 89, page 1917.

Committee recommended I.E.

\_\_\_\_\_ 50 \_\_\_\_\_

## SB 723 Sen. Bishop

Occupations; accounting; revisions to article 7 of the occupational code; provide for.

Amends secs. 601, 602, 721, 723, 725, 729, 732, 734 & 735 of 1980 PA 299 (MCL 339.601 et seq.).

Reported by Committee on Banking and Financial Institutions.

For Senate amendments, see Senate Journal No. 89, page 1917.

Committee recommended I.E.

<del>\_\_\_\_\_</del> 51 \_\_\_\_\_

## SB 724 Sen. Bishop

Criminal procedure; sentencing guidelines; crime of unauthorized practice of public accounting; include in sentencing guidelines.

Amends sec. 13p, ch. XVII of 1927 PA 175 (MCL 777.13p).

Reported by Committee on Banking and Financial Institutions.

Senate substitute (S-1).

Committee recommended I.E.

#### RESOLUTIONS

\_\_\_\_ 52 \_\_\_\_\_

## SCR 28 Sen. Johnson

A concurrent resolution to increase the total project cost of the Department of Corrections Riverside Correctional Facility Power Plant Automation project.

Reported by Committee on Appropriations.

For text of resolution, see Senate Journal No. 78, page 1289.

Adoption pending.

#### RESOLUTIONS

— 53 ——

#### **SR** 57 Sen. Patterson

A resolution to express opposition to the study and construction of an international border crossing in the Downriver area

Reported by Committee on Technology and Energy. For text of resolution, see Senate Journal No. 75, page 1225.

Adoption pending.

## SCR 27 Sen. Patterson

A concurrent resolution to express opposition to the study and construction of an international border crossing in the Downriver area.

Reported by Committee on Technology and Energy. For text of resolution, see Senate Journal No. 75, page 1227.

Adoption pending.

\_\_\_\_ 55 \_\_\_\_\_

## SCR 30 Sen. Johnson

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Regents of the University of Michigan relative to the University of Michigan-Dearborn Hubbard Drive Professional Training and Education Building Acquisition (Phase II) Engineering and Science Building Renovations Engineering Laboratory Building Addition.

Reported by Committee on Appropriations.

For text of resolution, see Senate Journal No. 86, page 1740.

Adoption pending.

— 56 ——

## SCR 31 Sen. Johnson

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Regents of the University of Michigan relative to the University of Michigan-Dearborn Hubbard Drive Professional Training and Education Building Acquisition (Phase II) Engineering and Science Building Renovations Science Building Addition.

Reported by Committee on Appropriations.

For text of resolution, see Senate Journal No. 86, page 1741.

Adoption pending.

#### RESOLUTIONS

— 57 ———

## SCR 32 Sen. Johnson

A concurrent resolution approving the conveyance of property to the State Building Authority and approving a lease among the State of Michigan, the State Building Authority, and the Regents of the University of Michigan relative to the University of Michigan-Ann Arbor Central Campus Renovations Phase II Literature, Science, and the Arts Building.

Reported by Committee on Appropriations.

For text of resolution, see Senate Journal No. 86, page 1742.

Adoption pending.

#### **COMMITTEE REPORTS**

\_\_\_\_ 58 \_\_\_\_

## HB 5110 Rep. Kooiman

Children; child care; before- and after-school programs; provide procedures for deemed status.

Amends sec. 1 of 1973 PA 116 (MCL 722.111).

I.E. House, September 21, 2005.

House substitute (H-1).

Reported by Committee on Families and Human Services.

Committee recommended I.E.

Refer to Committee of the Whole pursuant to Rule 3.701.

## SCHEDULED MEETINGS

**Banking and Financial Institutions -** Wednesday, October 12, 12:00 noon, Room 210, Farnum Building (373-2417)

**Economic Development, Small Business and Regulatory Reform -** Wednesday, October 12, 3:00 p.m., Rooms 402 and 403, Capitol Building (373-7670)

**Gaming and Casino Oversight -** Wednesday, October 12, 1:00 p.m., Room 210, Farnum Building (373-2413)

**Health Policy -** Wednesday, October 12, 1:00 p.m., Senate Hearing Room, Ground Floor, Boji Tower (373-3543)

**Local, Urban and State Affairs -** Thursday, October 13, 1:00 p.m., Room 110, Farnum Building (373-1707)

**Senate Fiscal Agency Board of Governors -** Thursday, October 27, 9:00 a.m., Room S-101, Capitol Building (373-0797)

**Technology and Energy -** Wednesday, October 12, 3:00 p.m., Room 210, Farnum Building (373-7350)

## **BILLS IN CONFERENCE**

		Conf	erees	s Report Agreed To	
Bill No.	Brief Title	Senate	House	Senate	House
HB 4834	Financial institutions; other; regulation and	Sanborn	Robertson		
	licensing of deferred presentment service	Gilbert	Palsrok		
	providers and transactions; provide for.	Jacobs	McConico		